

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

DEANDRE HATCHER

§

VS.

§

CIVIL ACTION NO. 6:18cv609

HENDERSON COUNTY JAIL

§

ORDER OF DISMISSAL

Plaintiff Deandre Hatcher, an inmate proceeding *pro se*, filed this numbered civil rights lawsuit. The complaint was referred to the undersigned United States Magistrate Judge for findings of fact, conclusions of law, and recommendations for the disposition of the case.

On December 2, 2021, Judge Mitchell issued a Report, (Dkt. #6), recommending that Plaintiff's lawsuit be dismissed, without prejudice, for the failure to comply with an order of the Court and the failure to prosecute. A copy of this Report was sent to Plaintiff at his last-known address. To date, however, no objections to the Report have been filed.

Because objections to Judge Mitchell's Report have not been filed, Plaintiff is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. *Douglass*, 79 F.3d at 1430.

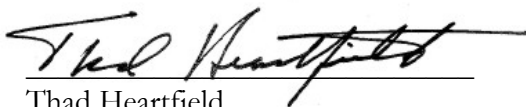
The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (holding that where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). Accordingly, it is

ORDERED that that the Report of the United States Magistrate Judge, (Dkt. #6), is **ADOPTED** as the opinion of the Court. Further, it is

ORDERED that Plaintiff's civil rights action is **DISMISSED**, without prejudice, for the failure to comply with an order of the Court and the failure to prosecute.

ORDERED that any and all pending motions which may be pending in this case are hereby **DENIED** as **MOOT**.

SIGNED this the **3** day of **January**, 2022.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge